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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,698	12/22/2000	Franco Travostino	2204/A86	4557

34845	7590	08/11/2005

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EXAMINER
EL CHANTI, HUSSEIN A

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/748,698	TRAVOSTINO, FRANCO
	Examiner	Art Unit	
	Hussein A. El-chanti	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _06 June 2005_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-46_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-46_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

Response to Amendment

1.   This action is responsive to amendment received on June 6, 2005. Claims 1-46

are pending examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2.   Claims 1-8, 10-33 and 36-46 are rejected under 35 U.S.C. 102(e) as being

anticipated by Hanson et al., U.S. Patent No. 6,546,425 (referred to hereafter as

Hanson).

Hanson teaches the invention explicitly as claimed including a system and

method of providing mobile users with easy access to centralized management using

internet mobility protocols (see abstract).

As to claims 1, 10 and 20, Hanson teaches a method, device and computer

program for maintaining a communication session by a back end device in a

communication system, the method comprising:

determining that the communication session has or will be disrupted (see col. 8

lines 35-60, the system determines that the mobile device is out of range or

disconnected);

saving state information relating to the communication session in a back end

device operatively connected with each of the access point devices, the back end

operable to contemporaneously save state information relating to multiple

communication sessions associated with multiple wireless access point devices (see

col. 9 lines 55-65, the back end device maintains the state information in the event the

communication is suspended); and

subsequently re-establishing the communication session using the saved state

information by communicating the saved state information from the back end device to

one of the wireless access point devices (see col. 9 lines 15-23, the system re-

establishes the communication session using the state information).

As to claims 2, 11 and 21, Hanson teaches the method of claim 1, wherein

determining that the communication session has or will be disrupted comprises:

determining that the communication session has failed (see col. 9 lines 55-65).

As to claims 3, 12 and 22, Hanson teaches the method of claim 2, wherein

determining that the communication session has failed comprises: monitoring for a

predetermined signal; and failing to receive the predetermined signal for a

predetermined amount of time (see col. 29 lines 10-60).

As to claims 4, 13 and 23, Hanson teaches the method of claim 1, wherein

determining that the communication session has or will be disrupted comprises:

determining that it is necessary or desirable to disrupt the communication session (see

col. 9 lines 55-65).

As to claims 5, 14 and 24, Hanson teaches the method of claim 1, wherein saving the state information relating to the communication session comprises: saving the state information for up to a predetermined amount of time (see col. 29 lines 10-60).

As to claims 6, 15, 25 and 31, Hanson teaches the method of claim 1, wherein the communication session is associated with an access point device, and wherein re-establishing the communication session using the saved state information comprises re-establishing the communication through the access point device (see col. 9 lines 55-65).

As to claims 7, 16, 26 and 32, Hanson teaches the method of claim 1, wherein the communication session is associated with an access point device, and wherein re-establishing the communication session using the saved state information comprises re-establishing the communication session through a different access point device (see col. 9 lines 15-55).

As to claims 8, 17, 27 and 33, Hanson teaches the method of claim 7, wherein re-establishing the communication session through the different access point device comprises: associating the state information with the different access point device. (see col. 10 lines 10-65).

As to claim 30, Hanson teaches a communication system comprising a number of access point devices that each implement a first protocol layer of a wireless communication protocol and a back end device that implements a second protocol layer of the wireless communication protocol on behalf of the number of access point devices, wherein the back end device is operably coupled to save state information for a

communication session upon determining that the communication session has or will be

disrupted and subsequently re-establish the communication session using the saved

state information (see col. 9 lines 10-col. 10 lines 25).

As to claim 36, Hanson teaches the communication system of claim 30, wherein

the communication session is associated with a terminal equipment device that

communicates with the back end device through an access point device, and wherein

the back end device is operably coupled to determine that the communication session is

disrupted upon failing to receive a predetermined signal from the terminal equipment

device for a predetermined amount of time (see col. 9 lines 10-col. 10 lines 25 and col.

29 lines 10-65).

As to claim 37, Hanson teaches a terminal device accesses a communication

network through one of a plurality of access point devices that implement a first protocol

layer of a wireless communication protocol and a back end device that implements a

second protocol layer of the wireless communication protocol, a method for moving the

terminal device from a first access point device to a second access point device, the

method comprising: saving state information for the terminal device by the back end

device; terminating communication with the terminal device over the first access point

device; and re-establishing communication with the terminal device over the second

access point device using the saved state information (see col. 9 lines 10-col. 10 lines

25).

As to claim 38, Hanson teaches the method of claim 37, wherein the first access point device is congested, and wherein re-establishing communication with the terminal device over the second access point device using the saved state information is done to avoid the congestion at the first access point device (see col. 5 lines 40-50).

As to claim 39, Hanson teaches the method of claim 37, wherein re-establishing communication with the terminal device over the second access point device using the saved state information is done for load balancing purposes to split network traffic between the first access point device and the second access point device (see col. 5 lines 65-col. 6 lines 7).

As to claim 40, Hanson teaches the method of claim 37, wherein the first access point device and the second access point device are in different service provider systems, and wherein re-establishing communication with the terminal device over the second access point device using the saved state information is done to move the terminal device to a predetermined service provider system (see col. 5 lines 65-col. 6 lines 7).

As to claim 41, Hanson teaches the method of claim 37, wherein re-establishing communication with the terminal device over the second access point device using the saved state information is done for cost purposes to move the terminal device to a less expensive access point device (see col. 38 lines 63-col. 39 lines 6).

As to claim 42, Hanson teaches a terminal device accesses a communication network through one of a plurality of access point devices that implement a first protocol

layer of a wireless communication protocol and a back end device that implements a

second protocol layer of the wireless communication protocol, a method for using

information related to the terminal device, the method comprising: saving information for

the terminal device by the back end device; and using the saved information (see col. 9

lines 10-col. 10 lines 25).

As to claim 43, Hanson teaches the method of claim 42, wherein using the saved

information comprises: using the saved information for accounting purposes (see col. 39

lines 7-20).

As to claim 44, Hanson teaches the method of claim 42, wherein using the saved

information comprises: using the saved information for network management purposes

(see col. 9 lines 10-65).

As to claim 45, Hanson teaches the method of claim 42, wherein using the saved

information comprises: using the saved information for user tracking purposes (see col.

9 lines 10-65)

As to claim 46, Hanson teaches the method of claim 42, wherein using the saved

information comprises: using the saved information for user locating purposes (see col.

10 lines 5-45).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 9, 34 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Hanson in view of Leon, U.S. Patent No. 6,680,923.

As to claims 9, 34 and 35, Hanson teaches a method for maintaining a

communication session by a back end device in a communication system, the method

comprising determining that the communication session has or will be disrupted, saving

state information relating to the communication session and subsequently re-

establishing the communication session using the saved state information (see the

rejection of claims 1 and 30).

Hanson does not explicitly teach the claimed limitation the communication

session comprises a Bluetooth communication session". However Leon teaches a

method for communicating with multiple devices using Bluetooth communication

session the first protocol layer is a lower protocol layer of the Bluetooth wireless

communication protocol, and wherein the second protocol layer comprises an upper

protocol layer of the Bluetooth wireless communication protocol (see col. 1 lines 32-52

and col. 2 lines 44-col. 3 lines 20).

It would have been obvious for one of the ordinary skill in the art at the time of

the invention to modify Hanson by implementing Bluetooth communication session as

taught by Leon because doing so would allow wireless communication between

devices, thereby providing more versatility and eliminating many cabling

limitations/requirements that may limit expansion.

Response to Arguments

4.   Applicant's arguments have been fully considered but are not persuasive.

Applicant argues in substance that Hanson does not disclose re-establishing the

communication session using the saved state information by communicating the saved

state information from the back end device to one of the wireless access point devices.

In response, Hanson teaches a system and method for establishing session with

a mobile device, saving the state of the session on a back end device and re-

establishing a session using the saved state information (see abstract).

If the mobile device is in an unreachable state (i.e. out of range, suspended, etc),

and places the connection into a dormant unreachable state (i.e. out of range,

suspended, etc), and places the connection into a dormant state. Any further work

destined for this particular connection is stored for future delivery. The connection will

remain in this state until one of the Mobility Management Server 102 receives a frame

from the Mobile End System 104, thus returning the connection to its original state.

The Mobility Management Server 102 receives a frame from the Mobile End

System 104, the connection continues from the point it was interrupted. Any work that

was queued for the specific connection will be forwarded, and the state will be

resynchronized. Therefore Hanson teaches the state information of the session is saved

and once the communication is re-established, the state information is used to resume

the communication from the point it was dropped (see col. 27 lines 21-51). Therefore

Hanson meets the scope of the claimed limitation "re-establishing the communication

session using the saved state information by communicating the saved state information

from the back end device to one of the wireless access point devices".

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Hussein A. El-chanti whose telephone number is

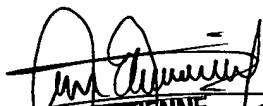(571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Hussein El-chanti

August 2, 2005

ARID ETIENNE
SUPERVISORY PATENT EXAMINER